



District of Columbia Sentencing Commission

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MINUTES OF FULL COMMISSION MEETING

March 28, 2017

One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

Frederick Weisberg

David Rosenthal

Laura Hankins

Cedric Hendricks

Marvin Turner

Pat Riley (temporary USAO designee)

Julie Samuels

Molly Gill (via phone)

William Martin

Danya Dyson

Non-Voting Members in Attendance:

Chanell Autrey

Michael Anzallo

Guest:

K. Semyonova

Staff in Attendance:

Barbara Souvey

Linden Fry

Mia Hebb

Miatta Sesay

- I.** Chairman Weisberg called the meeting to order at 5:05 p.m.
- II.** The minutes from the February 7, 2017 and February 21, 2017, meetings were reviewed, amended and approved.
- III.** 2016 Annual Report Schedule – Informational Item, Barbara Tombs-Souvey.

2016 Annual Report Schedule: Ms. Tombs-Souvey informed the Commission that a draft version of the 2016 Annual Report will be distributed to Commission members by April 7, 2017. Ms. Tombs-Souvey asked the Commission to review and submit any edits, proposed changes, or comments no later than April 18, 2017, to allow for adequate time for printing and distribution of the report by the April 30, 2017, statutory deadline.
- IV.** Release of the Guideline Evaluation Study – Discussion Item, Chairman Weisberg and Barbara Tombs-Souvey

Release of the Evaluation Study: Chairman Weisberg stated that the Guideline Evaluation Study was discussed and approved at the February 7, 2017, Commission meeting. He then asked for feedback from the Commission members on the best approach to release the Study. Commission members discussed the benefits and drawbacks of various release strategies. Commission members agreed that developing and distributing a written “press release” prior to releasing the Study on March 31, 2017, would be the most effective approach. The Commission then discussed what to include in the press release.

V. Review and Approval of the Commission's Amended Data Sharing Policy – Action Item, Chairman Weisberg and Barbara Tombs-Souvey

Approval of Data Sharing Policy: Ms. Tombs-Souvey briefly reviewed the changes to the Data Sharing Policy recommended to the Commission during the February 21, 2017, Commission meeting. Ms. Tombs-Souvey asked the Commission members for comment and feedback on the proposed changes. Upon review, the Commission members recommended reorganizing some of the language and making a few technical changes to the policy.

Commission Action: The Commission unanimously voted to approve the revised Data Sharing Policy, with the discussed modifications, by a vote of 9-0. Note: Cedrick Hendricks was not present for the vote.

VI. Prioritization of the Guideline Evaluation Study's Recommendations for further research and analysis –Action Item, Chairman Weisberg and Barbara Tombs-Souvey.

Prioritization of the Guideline Evaluation Study's Recommendation: Chairman Weisberg discussed the need to prioritize the Guideline Evaluation Study's recommendations for further research and analysis. He stated that such prioritization would be used to guide the Commission's work over the next year. The Guidelines Evaluation Study made the following recommendations:

1. Seek Input from Judges, Prosecutors, and Defense Attorneys Regarding their Use and Perception of the Guidelines
2. Revisit the Overall Purpose of Sentencing
3. Examine the Role of Criminal History in Determining the Recommended Guideline Sentence
4. Consider Modifications to Guidelines Sentencing Ranges
5. Re-Evaluate the Placement of Short-Spilt and Probation Boxes
6. Consider Adding Presumptive Non-Prison Grid Boxes
7. Reassess the Ranking of Specific Offenses on the Master Grid
8. Examine the Placement of Escape and BRA on the Master Grid
9. Examine the Impact, if any, of How a Case is Disposed (Plea, Jury Trial, or Bench Trial on the Type and Length of Sentence Imposed
10. Conduct further Research Regarding the Use of Mandatory Minimums in Sentencing

The Commission discussed the importance and impact of the various recommendations as well as the resources and level of effort that would be necessary to accomplish each. Commission members expressed varying levels of support for a number of the recommendations discussed. Chairman Weisberg suggested that the Commission begin with recommendation #1 which involves seeking input from the primary users of the Guidelines through the use of surveys or focus groups.

The Commission members discussed various approaches to developing surveys or conducting focus groups. The Commission agreed that staff should work with Julie Samuels to develop a proposed plan for discussion at the next meeting.

Meeting Adjourned at 6:25 p.m.

NEXT MEETING:

April 20, 2017

One Judiciary Square (441 4th St., NW), Room 430S.